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November 27, 1984

Ronald L. Thomas, Chairman
Arizona Board of Barbers
1645 West Jefferson, Room 418
Phoenix, Arizona 85007

Re: I84-163 (R84-147)

Dear Mr. Thomas:

We have reviewed your request for an opinion concerning recent legislative changes pertaining to licensure of barber schools. Laws 1984 (2nd Reg. Sess.), Ch. 279 (Chapter 279). Chapter 279 amended A.R.S. § 32-325 which sets forth the requirements a barber school must fulfill in order to be licensed. Included in those amendments is paragraph B of A.R.S. § 32-325 which provides:

A course of instruction in a licensed school which teaches barbering shall consist of at least 1,450 hours of instruction of not more than eight hours in any one working day.

Your inquiry asks us to address the effect of these amendments upon the licensure of barber school students who were enrolled in barber school when Chapter 279 became effective.

An applicant for a barber license must meet certain requirements which include that the applicant "be a graduate of

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a school licensed pursuant to this Chapter or a graduate of a school in another state which at the time of his graduation met the barber licensing requirements of that state." A.R.S. § 32-322.B.5.

Before Chapter 279 became effective, barber schools were required to offer as a prerequisite to graduation a course of instruction consisting of 1,250 hours. When Chapter 279 became the law, certain applicants who were seeking barber licenses had graduated from a school ~~which~~ after completing only 1,250 hours or were at that time enrolled in a program that offered only 1,250 hours of instruction.

The 1,450 hour requirement relates directly to barber schools and only indirectly requires that the student have 1,450 hours. Although A.R.S. § 32-322.B.5 refers to the barber school licensure requirements, we think that the dispositive determination with respect to an individual applicant is whether the applicant graduated from a school which was licensed at the time of graduation. If the school was licensed at the time of graduation, the applicant has fulfilled the requirements of A.R.S. § 32-322.B.5. Therefore, if an applicant is a graduate of a licensed school, that applicant meets the requirement of A.R.S. § 32-322.B.5, notwithstanding the fact that the applicant only received 1,250 hours of instruction at the time of graduation.

We note, however, that this opinion does not excuse a barber school from its requirement to offer, at a minimum, 1,450 hours of instruction after the effective date of Chapter 279.

Sincerely,



BOB CORBIN
Attorney General

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